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of America

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUN 16 2004

at 7 o'clock and 10 min. P M  
WALTER A. Y. H. CHINN, CLERK

**LODGED**

10 05 JUN 16 2004  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 03-0174DAE
	)	
Plaintiff,	)	
	)	ORDER FOR DISMISSAL
vs.	)	
	)	
PHILLIP ANDREW NICO,	)	
	)	
Defendant.	)	
_____	)	

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of Court endorsed hereon, the United States Attorney for the District of Hawaii hereby dismisses the Indictment returned April 9, 2003 against defendant Phillip Andrew Nico on the ground(s) that the United States elects not to further proceed with the prosecution at this time.

The defendant is in custody on the dismissed charge listed above, and the United States asks that he be forthwith released from custody.

DATED: Honolulu, Hawaii, June 16, 2004.

EDWARD H. KUBO, JR.  
UNITED STATES ATTORNEY  
District of Hawaii

By Michael K. Kawahara  
MICHAEL K. KAWAHARA  
Assistant U.S. Attorney

Leave of Court is granted for the filing of the foregoing dismissal.

DAVID ALAN EZRA

DAVID A. EZRA  
CHIEF U.S. DISTRICT JUDGE

United States v. Phillip Andrew Nico  
Cr. No. 03-0174DAE  
Order for Dismissal

copies: United States Marshal  
U.S. Drug Enforcement Administration  
David F. Klein, Esq. (Attorney for defendant)